

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re application of	)	
CLEAVER et al.	)	Group Art Unit:
	)	2885
	)	Examiner:
Application No.: 10/771,714	)	SAWHNEY, HARGOBIND S.
	)	
Filed: February 04, 2004	)	
	)	
For: FLEXIBLE ILLUMINATION DEVICE FOR	)	
SIMULATING NEON LIGHTING	)	

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APPEAL BRIEF

Commissioner for Patents  
Alexandria, VA 2231301459

Sir:

This is an appeal from the Final Office Action dated August 15, 2007 rejecting claims 25 – 29 of the pending application. Pursuant to 37 C.F.R. § 41.37, the following brief is submitted, a Notice of Appeal having been filed on September 18, 2007 for the above-identified application.

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**I. REAL PARTY IN INTEREST**

The real party in interest is iLight Technologies, Inc., a Delaware corporation having offices at 118 South Clinton Street, Suite 370, Chicago, IL 60661-3628. iLight Technologies, Inc. is the assignee of record of the application that is the subject of the present appeal.

## II. RELATED APPEALS AND INTERFERENCES

Appellants state that the following judicial proceedings are pending which are actions brought by iLight Technologies, Inc. to enforce U.S. Patent No. 6,592,238, which has been incorporated by reference in the application that is the subject of the present appeal:

- iLight Technologies, Inc. v. Fallon Luminous Products Corporation, U.S. District Court for the Middle District of Tennessee (Cookeville), Case No. 2:06-CV-00025; and
- iLight Technologies, Inc. v. Tivoli, LLC, U.S. District Court for the Middle District of Tennessee (Cookeville), Case No. 2:06-CV-00026.

In the above-styled actions, iLight Technologies, Inc. has also asserted U.S. Patent No. 6,953,262 and U.S. Patent No. 7,188,970, which were continuation applications claiming benefit of the application that matured into U.S. Patent No. 6,592,238.

The subject matter of the application that is the subject of the present appeal is related to, but not the same as, the subject matter of U.S. Patent Nos. 6,592,238; 6,953,262; and 7,188,970. Furthermore, the application that is the subject of the present appeal is not a continuation, divisional, or continuation-in-part of the applications that matured into U.S. Patent Nos. 6,592,238; 6,953,262; and 7,188,970.

At the time of this Appeal Brief, there have been no decisions rendered by the court in either of the above-styled actions that are believed to relate to, directly affect, or have a bearing on the Board's decision in the pending appeal. A current copy of a

Docket Report for each of the above-styled actions is included below in the Related Proceedings Appendix.

Applicants are aware of no other prior or pending appeals, judicial proceedings, or interferences that may be related to, directly affect, or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**III. STATUS OF CLAIMS**

The status of the claims is as follows:

Claims rejected: Claims 25 – 29.

Claims allowed: None.

Claims withdrawn: None.

Claims objected to: None.

Claims canceled: Claims 1 – 24.

Identification of claims that are being appealed: Claims 25 – 29.

#### **IV. STATUS OF AMENDMENTS**

There have been no amendments proffered after the Final Office Action. All previous amendments have been entered and are incorporated into the pending claims.

## **V. SUMMARY OF CLAIMED SUBJECT MATTER**

Claim 25 is the sole independent claim involved in the appeal. None of the pending claims is in a "means plus function" or a "step plus function" format as permitted by 35 U.S.C. 112, sixth paragraph.

The subject matter defined in Claim 25 is an illumination device for simulating neon lighting (pg. 7, lines 18 – 20) having:

a solid rod-like member (Figs. 4 - 5, element 112; page 12, lines 15 – 16) having a predetermined length with a light-receiving surface (Fig. 6, element 115; page 13, lines 3 – 5) and a light-emitting surface (Figs. 6 – 7, element 113; page 12, lines 8 – 10, page 12, lines 15 – 16), said rod-like member being composed of a substantially flexible compound (page 12, lines 13 – 14; page 8, line 14 – page 10, line 5);

a flexible circuit board (Figs. 5 – 7, element 126; page 13, lines 1 – 3) received in the rod-like member (Figs. 5 – 7; page 13, lines 1 – 3);

a multiplicity of spaced point light sources (Figs. 5 – 7, element 124) arranged in a line along said flexible circuit board and extending substantially along the light-receiving surface of said rod-like member (Fig. 5; page 12, line 24 – page 13, line 1; page 8, lines 6 – 8), such that light entering the rod-like member from said point light sources and through the light-receiving surface is preferentially scattered, with light being directed along the predetermined length of said rod-like member while also being urged out the light-emitting surface of said rod-like member, thus causing a light intensity pattern that appears substantially uniform along the light-emitting surface of said rod-like member (page 12, lines 19 – 21; page 7 line 21 – page 8, line 13); and



a collection surface (Fig. 7, element 140; page 13, lines 20 – 24) positioned near said point light sources for collecting and reflecting light not emitted directly into said rod-like member (page 13, line 20 – page 14, line 7).

As a result of such a construction, the illumination device has a uniform glow over its light-emitting surface that rivals or surpasses the uniform glow of neon tubing. The solid nature of the rod-like member assists in achieving the desired light intensity and uniformity for simulating neon lighting by directing light along the length of the rod-like member while also urging light out of the light-emitting surface of the rod-like member.

**VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

1. Whether claim 25 is unpatentable over U.S. Patent No. 6,676,284 to Wynne Willson.

**VII. ARGUMENT**

**A. REJECTION UNDER 35 U.S.C. 103(a) OVER U.S. PATENT NO. 6,676,284 TO WYNNE WILLSON**

**1. Claim 25**

The Examiner has rejected claim 25, the sole independent claim in the application, pursuant to 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,676,284 ("Wynne Willson"). With respect to this rejection, it is Appellants' intention that claims 25 – 29 stand or fall together.

Independent claim 25 recites an illumination device for simulating neon lighting, comprising, *inter alia*, a solid rod-like member having a predetermined length with a light-receiving surface and a light-emitting surface, said rod-like member being composed of a substantially flexible compound, a flexible circuit board received in the rod-like member, and a multiplicity of spaced point light sources arranged in a line along the flexible circuit board and extending substantially along the light-receiving surface of said rod-like member. Light enters the rod-like member from the point light sources and is preferentially scattered with light being directed along the predetermined length of the rod-like member while also being urged out a light-emitting surface of the rod-like member, causing a light intensity pattern that is substantially uniform along the light-emitting surface of the rod-like member.

In the Office Action dated August 18, 2007, the Examiner alleges that Wynne Willson discloses:

A flexible illumination device (FIG. 1), comprising:

- A solid rod-like member 2 including a light receiving surface
- inner surface the rod-like member 2-, and light-emitting

surface – outer surface of the rod-like member 2 (Figure 1; col. 6, lines 43 – 46; Claim 34; and column 10, lines 31 – 34); Note: Wynne Willson teaches the rod-like member formed of a flexible material or rigid material.

-The rod-like member 2 composed of a substantially flexible material (Figure 1, column 6, lines 43 – 46; Claim 34; and column 10, lines 31 – 34). Note: Wynne Willson teaches the rod-like member formed of a flexible material or rigid material.

It is respectfully submitted that the cited passages, figure and claim of the Wynne Willson reference do not contain a teaching or suggestion of a solid rod-like member composed of a substantially flexible compound, as recited in claim 25 of the application.

Column 6, lines 43 – 46 of the Wynne Willson reference state as follows:

It is a further option for components of the apparatus of the invention, such as comprising light sources and diffuser, to be deformably mounted together to that they can be configured into a required display shape, such as by mounting them on deformable support structure.

Column 10, lines 31 – 34 of the Wynne Willson reference state as follows:

Referring to FIGS. 1, 2 and 3, apparatus of the invention is shown generally as 1 (and referred to also a "flow light") and comprises an elongate diffuser 2 made of rigid, translucent diffusing plastics material.

Claim 34 recites an "Apparatus according to claim 31, wherein the LED's are mounted on a flexible support, and wherein said diffuser is flexible such that the apparatus is formed in a variety of linear configurations."

It is respectfully submitted that neither FIG. 1, nor the passages of Wynne Willson cited in the Office Action and reproduced above, nor claim 34 teach or suggest a solid rod-like member composed of a substantially flexible compound, as recited in claim 25 of the present application because: (1) the cited passages teach a tubular or

tube-like diffuser, which is not a teaching of the solid rod-like member recited in claim 25; and (2) the cited passage from column 10 describing FIG. 1 (as well as FIG. 2 and FIG. 3) specifically teach that the diffuser of FIG. 1 is made of a rigid material.

With respect to the first distinction, Wynne Willson teaches tubular diffusers. For instance, column 6, lines 47 – 53 (which immediately succeed and further describe the passage from column 6, lines 43 – 46 cited above) describe “[o]ne particular embodiment of the apparatus has a deformable tubular diffuser partially or wholly surrounding a row of LEDs which can be deformed into a desired shape, for example into wording for a sign, into a lighting effect around a doorway, or to run in a long line around the outline of a window or building.” (emphasis added). Additionally, column 6, lines 8 – 9 state that “[t]he diffuser may thus substantially surround the light sources and be tube-like.” (emphasis added). It is respectfully submitted that a tubular or tube-like diffuser is not the solid rod-like member as recited in claim 25.

In the Office Action, the Examiner acknowledges that Wynne Willson discloses two distinct embodiments, the first embodiment being shown and described in connection with FIG. 1, and the second embodiment being shown and described in connection with FIG. 9. Applicants maintain that both embodiments fail to teach or suggest a “solid rod-like member.” The first embodiment comprises a single tubular diffuser 2 (FIG. 1). The second embodiment comprises a hollow construction comprised of a tubular outer diffuser and a tubular inner diffuser (FIG. 9).

Further, claim 25 recites that light is “directed along the predetermined length of said rod-like member while also being urged out the light-emitting surface of said rod-like member,” a result that is directly related to the “essentially solid” nature of the

substantially rod-like member. The Wynne Willson reference simply does not teach or suggest a solid rod-like member, such that light entering the rod-like member from the point light sources is directed along the predetermined length of the rod-like member while also being urged out the light-emitting surface of the rod-like member, thus causing a light intensity pattern that appears substantially uniform along the light-emitting surface of the rod-like member.

With respect to the second distinction, it is respectfully submitted that FIG. 1 and the cited passage in column 10 describing FIG. 1 not only fail to teach or suggest a solid rod-like member composed of a substantially flexible compound, but specifically teach that the diffuser of FIG. 1 is made of a rigid material, which is the antithesis of a flexible compound. Indeed, it is readily apparent that the hollow, tubular diffuser 2 of FIG. 1 of the Wynne Willson reference must be made of a rigid material because if such a diffuser was made of a flexible compound, it would likely collapse in on itself due to its hollow (non-solid), thin-walled, tubular structure. The rod-like member of the present invention as recited in claim 25 avoids this issue because it is solid (non-hollow), forming a structure that is capable of flexing without collapsing. Thus, FIG. 1 and the cited passage in column 10 do not teach or suggest the solid rod-like member composed of a substantially flexible compound, as recited in claim 25, and, in fact, teach away from such a structure.

\* \* \* \* \*

Thus, Appellants respectfully submit that Wynne Willson fails to teach or suggest the illumination device for simulating neon lighting as recited in claim 25. Accordingly, it is respectfully requested that the Board reverse the rejection of the claims.

DATE: Nov. 09, 2007

Respectfully submitted,



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### VIII. CLAIMS APPENDIX

The claims that follow are claims pending in the application and contain amendments made on June 04, 2007.

1-24. (cancelled)

25. (previously presented) An illumination device for simulating neon lighting, comprising:

- a solid rod-like member having a predetermined length with a light-receiving surface and a light-emitting surface, said rod-like member being composed of a substantially flexible compound;

- a flexible circuit board received in said rod-like member;

- a multiplicity of spaced point light sources arranged in a line along said flexible circuit board and extending substantially along the light-receiving surface of said rod-like member, such that light entering the rod-like member from said point light sources and through the light-receiving surface is preferentially scattered, with light being directed along the predetermined length of said rod-like member while also being urged out the light-emitting surface of said rod-like member, thus causing a light intensity pattern that appears substantially uniform along the light-emitting surface of said rod-like member; and

- a collection surface positioned near said point light sources for collecting and reflecting light not emitted directly into said rod-like member.



26. (previously presented) The illumination device as recited in claim 25, wherein said collection surface is adjacent a portion of the outer surface of said rod-like member.

27. (previously presented) The illumination device as recited in claim 25, wherein said point light sources are light emitting diodes.

28. (previously presented) The illumination device as recited in claim 25, in which said substantially flexible compound is impregnated with a filler, said filler deflecting light incident thereon so as to achieve the desired preferential scattering of light and causing the light intensity pattern to appear substantially uniform along the light-emitting surface of said rod-like member.

29. (previously presented) The illumination device as recited in claim 28, wherein said filler is a plurality of micro balloons, each having a shell and deflecting light incident thereon.

**IX. EVIDENCE APPENDIX**

None

**X. RELATED PROCEEDINGS APPENDIX**

Current copies of Docket Reports for each of the judicial proceedings identified above are attached.

BROWN, MEMBER-CASE-FOR-DISCOVERY, MEMBER-CASE-FOR-PRETRIAL, PROTECTIVE-  
ORDER

**U.S. District Court  
Middle District of Tennessee (Cookeville)  
CIVIL DOCKET FOR CASE #: 2:06-cv-00026**

iLight Technologies, Inc. v. Tivoli, LLC  
Assigned to: District Judge William J. Haynes, Jr  
Cause: 35:0101 Patent Infringement

Date Filed: 03/24/2006  
Jury Demand: Both  
Nature of Suit: 830 Patent  
Jurisdiction: Federal Question

Date Filed	#	Docket Text
03/24/2006	<u>1</u>	COMPLAINT against Tivoli, LLC (Filing fee paid \$250.00), filed by Ilight Technologies, Inc.(rm) (Entered: 03/24/2006)
03/24/2006		Summons issued as to Tivoli, LLC. (rm) (Entered: 03/24/2006)
03/24/2006	<u>2</u>	CORPORATE DISCLOSURE STATEMENT filed by Ilight Technologies, Inc. (rm) (Entered: 03/24/2006)
03/24/2006	<u>3</u>	NOTICE of Initial Case Management Conference set for Monday, 5/22/2006 at 2:00 PM in Courtroom A859 before District Judge William J. Haynes. (rm) (Entered: 03/24/2006)
03/30/2006	<u>4</u>	MOTION for attorney Joel T. Beres to Appear Pro Hac Vice by iLight Technologies, Inc.. Responses due by 4/17/2006 (Attachments: # <u>1</u> Certificate of Good Standing)(Michels, James) (Entered: 03/30/2006)
03/31/2006		NOTE TO FILER: Re: Document No. 4; In the future, a certificate of good standing should be filed as a separate entry using the event Certificate found under the category Other Documents. There is a fee of \$75.00 per attorney for pro hac vice motions, which will need to be mailed or brought to the Clerk's Office. (km, ) (Entered: 03/31/2006)
03/31/2006	<u>5</u>	ORDER: Case Management Conference set for 5/22/06 is reset for 5/15/2006 at 02:00 PM in Cookeville before District Judge William J. Haynes. Signed by Judge William J. Haynes on 3/30/06. (km, ) (Entered: 03/31/2006)
04/03/2006	<u>6</u>	ORDER granting 4 Motion for Joel T. Beres to Appear Pro Hac Vice . Signed by Judge William J. Haynes on 4/3/06. (km, ) (Entered: 04/03/2006)
04/04/2006	<u>7</u>	SUMMONS returned executed by iLight Technologies, Inc.. Tivoli, LLC served on 3/30/2006, answer due 4/19/2006. (Michels, James) (Entered: 04/04/2006)
04/11/2006	<u>8</u>	RECEIPT #100 109520 in the amount of \$75.00 posted by iLight Technologies, Inc. for Joel T. Beres re 4 Motion to Appear Pro Hac Vice.

		(km, ) (Entered: 04/11/2006)
04/27/2006	<u>9</u>	<i>Defendant's ANSWER to Complaint with Jury Demand, COUNTERCLAIM against iLight Technologies, Inc. by Tivoli, LLC. (Jared, Britton) (Entered: 04/27/2006)</i>
04/28/2006		NOTE TO FILER: Re: Document No. 9; In the future, the attorney signing the document and the electronic filer should be the same. (km, ) (Entered: 04/28/2006)
04/28/2006	<u>10</u>	Letter from Clerk to Gordon E. Gray, III re: compliance with Local Rule 1. (km, ) (Entered: 04/28/2006)
05/10/2006	<u>11</u>	PROPOSED CASE MANAGEMENT ORDER filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 05/10/2006)
05/15/2006	<u>12</u>	MOTION for attorney Gordon E. Gray III to Appear Pro Hac Vice by Tivoli, LLC. Responses due by 6/1/2006 (Acuff, William) Fee paid on 8/25/2006 (km, ). (Entered: 05/15/2006)
05/15/2006		NOTE TO FILER: Re: Document No. 12; A certificate of good standing from a United States District Court for Mr. Gray must be filed. There is a fee of \$75.00 per attorney for pro hac vice motions, which will need to be mailed or brought to the Clerk's Office. (km, ) (Entered: 05/15/2006)
05/16/2006	<u>13</u>	ORDER granting <u>12</u> Motion for Gordon E. Gray III to Appear Pro Hac Vice. Signed by Judge William J. Haynes on 5/16/06. (km, ) (Entered: 05/16/2006)
05/18/2006	<u>14</u>	PROPOSED CASE MANAGEMENT ORDER <i>No. 1</i> filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 05/18/2006)
05/19/2006	<u>15</u>	Minute Entry for proceedings held before Judge William J. Haynes : Case Management Conference held on 5/15/2006. (Court Reporter Peggy Turner.) (km, ) (Entered: 05/19/2006)
05/19/2006	<u>16</u>	ANSWER to Counterclaim <u>9</u> by iLight Technologies, Inc. (Michels, James) Added link on 5/22/2006 (km, ). (Entered: 05/19/2006)
05/30/2006	<u>17</u>	CASE MANAGEMENT ORDER NO. 1: Case Management Conference set for 11/20/2006 at 02:00 PM in Cookeville before District Judge William J. Haynes. Discovery due by 5/11/2007. Motions due by 5/31/2007. Jury Trial set for 9/18/2007 09:00 AM before District Judge William J. Haynes. Pretrial Conference set for 8/27/2007 03:00 PM in Cookeville before District Judge William J. Haynes. Signed by Judge William J. Haynes on 5/30/06. (km, ) ***AMENDED See Order #45*** (km, ). (Entered: 05/31/2006)
05/31/2006	<u>18</u>	CERTIFICATE OF GOOD STANDING for Gordon E. Gray III from the USDC/CDCA filed by Tivoli, LLC. (Gray, Gordon) Modified Text on 6/1/2006 (dt). (Entered: 05/31/2006)
06/06/2006	<u>19</u>	CASE MANAGEMENT ORDER No. 2: Jury Trial set for 9/18/2007 09:00 AM before District Judge William J. Haynes. Final Pretrial

		Conference set for 8/27/2007 03:00 PM before District Judge William J. Haynes. Proposed Pretrial Order due by 8/24/2006. Signed by Judge William J. Haynes on 6/6/06. (km, ) (Entered: 06/07/2006)
08/18/2006	<u>20</u>	MOTION for Protective Order <i>Motion for Entry of Stipulated Protective Order</i> by iLight Technologies, Inc.. Responses due by 9/5/2006 (Attachments: # <u>1</u> Supplement [Proposed] Stipulated Protective Order# <u>2</u> Exhibit A to [Proposed] Stipulated Protective Order-- Confidentiality Agreement)(Price, Stephen) (Entered: 08/18/2006)
08/22/2006	<u>21</u>	ORDER granting <u>20</u> Motion for entry of Stipulated Protective Order . Signed by Judge William J. Haynes on 8/20/06. (km, ) (Entered: 08/22/2006)
08/22/2006	<u>22</u>	STIPULATED PROTECTIVE ORDER. Signed by Judge William J. Haynes on 8/20/06. (km, ) (Entered: 08/22/2006)
08/25/2006	<u>23</u>	RECEIPT #100 111321 in the amount of \$75.00 posted by Tivoli, LLC re <u>12</u> Motion to Appear Pro Hac Vice. (km, ) (Entered: 08/25/2006)
10/05/2006	<u>24</u>	MOTION for attorney John W. Scruton to Appear Pro Hac Vice by iLight Technologies, Inc.. Responses due by 10/23/2006 (Attachments: # <u>1</u> Exhibit Certificate of Good Standing# <u>2</u> Proposed Order)(Michels, James) (Entered: 10/05/2006)
10/05/2006	<u>25</u>	MOTION for attorney William Charles Ferrell, Jr. to Appear Pro Hac Vice by iLight Technologies, Inc.. Responses due by 10/23/2006 (Attachments: # <u>1</u> Exhibit Certificate of Good Standing# <u>2</u> Proposed Order)(Michels, James) (Entered: 10/05/2006)
10/05/2006		NOTE TO FILER: Re: Document Nos. 24 & 25; In the future, a certificate of good standing should be filed as a separate entry using the event found under the category Other Documents. There is a fee of \$75.00 per attorney for pro hac vice motions, which will need to be mailed or brought to the Clerk's Office. These documents do not need to be refiled unless otherwise directed by the Court. (km, ) (Entered: 10/05/2006)
10/05/2006	<u>26</u>	ORDER granting <u>24</u> Motion for John W. Scruton to Appear Pro Hac Vice . Signed by Judge William J. Haynes on 10/5/06. (km, ) (Entered: 10/06/2006)
10/05/2006	<u>27</u>	ORDER granting <u>25</u> Motion for William Charles Ferrell, Jr. to Appear Pro Hac Vice . Signed by Judge William J. Haynes on 10/5/06. (km, ) (Entered: 10/06/2006)
10/06/2006		Docket Annotation: Notification by email sent to pro hac vice attorney Mr. Scruton and Mr. Ferrell regarding mandatory registration for a CM/ECF account . (km, ) (Entered: 10/06/2006)
10/06/2006	<u>28</u>	RECEIPT #100 111892 in the amount of \$75.00 posted for William Ferrell by iLight Technologies, Inc. re <u>25</u> Motion to Appear Pro Hac Vice. (km, ) (Entered: 10/10/2006)

10/06/2006	<u>29</u>	RECEIPT #100 111891 in the amount of \$75.00 posted for John Scruton by iLight Technologies, Inc. re 24 Motion to Appear Pro Hac Vice. (km, ) (Entered: 10/10/2006)
11/10/2006	<u>30</u>	MOTION to Consolidate Cases <i>for the Purposes of Discovery and Pretrial Matters</i> by iLight Technologies, Inc., iLight Technologies, Inc.. (Price, Stephen) (Entered: 11/10/2006)
11/10/2006	<u>31</u>	MEMORANDUM in Support of 30 MOTION to Consolidate Cases <i>for the Purposes of Discovery and Pretrial Matters</i> filed by iLight Technologies, Inc., iLight Technologies, Inc.. (Attachments: # <u>1</u> Appendix Kohus v. Toys "R" Us, Inc., et al.)(Price, Stephen) (Entered: 11/10/2006)
11/17/2006	<u>32</u>	RESPONSE in Opposition re 30 MOTION to Consolidate Cases <i>for the Purposes of Discovery and Pretrial Matters ; Decl of Gray and Exhibits</i> filed by Tivoli, LLC. (Gray, Gordon) (Entered: 11/17/2006)
11/20/2006		Note to Filer re DE # 32: Signed affidavits/declarations should be filed as separate events, not as attachments to other pleadings. Each exhibit should be filed as a separate attachment to the main document and the mandatory description field used. Pursuant to Administrative Order No. 167, Section 8, electronically filed documents shall set forth the Filing User's name, address, telephone number and Board of Professional Responsibility registration number. The filer's name should be typed in the space where the signature would otherwise appear preceded by the symbol "s/" or inserted by facsimile signature. This document does not need to be re-filed unless otherwise directed by the Court. (km, ) (Entered: 11/20/2006)
11/28/2006	<u>33</u>	PROPOSED CASE MANAGEMENT ORDER <i>Case Management Order No. 3</i> filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 11/28/2006)
12/08/2006	<u>34</u>	ORDER REFERRING CASE to Magistrate Judge John S. Bryant for a judicial settlement conference. Signed by Judge William J. Haynes on 12/8/06. (dt) (Entered: 12/08/2006)
12/11/2006	<u>35</u>	ORDER: Telephone Conference call set for 12/15/2006 01:30 PM before Magistrate Judge John S. Bryant. Signed by Judge John S. Bryant on 12/11/06. (km, ) Modified text on 12/11/2006 (km, ). (Entered: 12/11/2006)
12/11/2006		DOCKET ANNOTATION: The docket text of DE #35 was incorrect. The Order states that it is a telephone conference not a settlement conference and the docket has been corrected. (km, ) (Entered: 12/11/2006)
12/15/2006		Minute Entry for proceedings held before Magistrate Judge Bryant: Telephone Conference held on 12/15/2006. Order to enter setting date for settlement conference. (tm) (Entered: 12/15/2006)
12/18/2006	<u>36</u>	ORDER: Telephone conference was held 12/15/06, at which time a

		settlement conference date was set. Settlement Conference set for 1/9/2007 09:00 AM before Magistrate Judge John S. Bryant. Signed by Judge John S. Bryant on 12/18/06. (km, ) (Entered: 12/18/2006)
01/09/2007		Minute Entry for proceedings held before Magistrate Judge Bryant: Settlement Conference held on 1/9/2007. The parties did not settle; order to enter. (tm) (Entered: 01/09/2007)
01/09/2007	<u>37</u>	ORDER: Settlement conference was held 1/9/07, at the conclusion they were unable to reach an agreement satisfactory to both sides. Clerk is directed to return the file to the District Judge. Judge John S. Bryant no longer assigned to case. Signed by Judge John S. Bryant on 1/9/07. (km, ) (Entered: 01/09/2007)
01/10/2007	<u>38</u>	ORDER: Upon review of this <u>30</u> Motion to Consolidate Cases for the purposes of discovery and pretrial matters and response, the differences in products at issue counsels against consolidation. This motion is denied. The parties shall cooperate in setting depositions of common witnesses in 2:06cv0025 and 2:06cv0026. Failure to do so may result in sanctions. Signed by Judge William J. Haynes on 1/10/07. (km, ) (Entered: 01/10/2007)
01/26/2007	<u>39</u>	PROPOSED CASE MANAGEMENT ORDER <i>Stipulated Case Management Order No. 3</i> filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 01/26/2007)
01/29/2007	<u>40</u>	STIPULATED CASE MANAGEMENT ORDER No. 3: Signed by Judge William J. Haynes on 1/29/07. (km, ) ***Amended See Order #45*** (km, ). (Entered: 01/29/2007)
02/06/2007	<u>41</u>	MOTION for Hearing <i>Joint Request for Expedited Status Conference</i> by iLight Technologies, Inc.. (Price, Stephen) (Entered: 02/06/2007)
02/07/2007	<u>42</u>	ORDER: This <u>41</u> MOTION Joint Request for Expedited Status Conference filed by iLight Technologies, Inc. is granted. See Order in 2:06-25. Status Conference set for 2/13/2007 04:00 PM in Cookeville before District Judge William J. Haynes. Signed by Judge William J. Haynes on 2/7/07. (km, ) (Entered: 02/07/2007)
02/15/2007	<u>43</u>	Minute Entry for proceedings held before Judge William J. Haynes : Status Conference held on 2/13/2007. (Court Reporter Peggy Turner.) (km, ) (Entered: 02/15/2007)
02/27/2007	<u>44</u>	PROPOSED CASE MANAGEMENT ORDER <i>Stipulated Case Management Order No. 4</i> filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 02/27/2007)
02/28/2007	<u>45</u>	STIPULATED CASE MANAGEMENT ORDER NO. 4: Parties agree that the expert deadlines in the Case Management Order No. 1 (Doc. No. 17) & Stipulated Case Management Order No. 3 (Doc. No. 40) should be amended as outlined in this Order. Signed by Judge William J. Haynes on 2/28/07. (km, ) (Entered: 02/28/2007)
03/16/2007	<u>46</u>	MOTION for attorney Timothy J. Vezeau, Michael Adam Dorfman and



		Jenny Louise Johnson to Appear Pro Hac Vice <i>Motion for Admission Pro Hac Vice</i> by iLight Technologies, Inc.. (Price, Stephen) (PHV fees paid) (km, ). Modified texton 3/23/2007 (km, ). (Entered: 03/16/2007)
03/16/2007	<u>47</u>	CERTIFICATE OF GOOD STANDING filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 03/16/2007)
03/16/2007	<u>48</u>	CERTIFICATE OF GOOD STANDING filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 03/16/2007)
03/16/2007	<u>49</u>	CERTIFICATE OF GOOD STANDING filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 03/16/2007)
03/16/2007	<u>50</u>	PROPOSED CASE MANAGEMENT ORDER <i>Stipulated Case Management Order No. 5</i> filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 03/16/2007)
03/16/2007	<u>51</u>	(DISREGARD - Atty advised to re-file) AMENDED DOCUMENT by iLight Technologies, Inc.. Amendment to <u>1</u> Complaint <i>First Amended Complaint</i> . (Attachments: # <u>1</u> Exhibit 2.5--true and correct copy of the '970 Patent)(Price, Stephen) Modified on 3/19/2007 (km, ). (Entered: 03/16/2007)
03/19/2007		Note to Filer re DE # 51: An Amended Complaint should be filed using the event "Amended Complaint" found under the category "Complaint and Other Initiating Documents". This document and the exhibit needs to be re-filed. (km, ) (Entered: 03/19/2007)
03/20/2007	<u>52</u>	AMENDED COMPLAINT <i>First Amended Complaint</i> against Tivoli, LLC, filed by iLight Technologies, Inc.. (Attachments: # <u>1</u> Exhibit 2.5--true and correct copy of '970 Patent)(Price, Stephen) (Entered: 03/20/2007)
03/20/2007	<u>53</u>	RECEIPT #100 114047 in the amount of \$225.00 posted by iLight Technologies, Inc. re <u>46</u> Motion to Appear Pro Hac Vice. (km, ) (Entered: 03/20/2007)
03/22/2007	<u>54</u>	ORDER granting <u>46</u> MOTION for attorney Timothy J. Vezeau, Michael Adam Dorfman and Jenny Louise Johnson to Appear Pro Hac Vice. Attorney Timothy J. Vezeau, Michael Adam Dorfman, and Jenny Louise Johnson for iLight Technologies, Inc. added. Signed by Judge William J. Haynes on 3/19/07. (km, ) Modified text on 3/23/2007 (km, ). (Entered: 03/23/2007)
03/22/2007	<u>55</u>	CASE MANAGEMENT ORDER NO. 5: Parties agree that the expert deadlines in Stipulated Case Management Order No. 4 (Docket Entry No. 45) should be amended as outlined in this order . Signed by Judge William J. Haynes on 3/19/07. (km, ) (Entered: 03/23/2007)
03/23/2007		Docket Annotation: Notification by email sent to pro hac vice attorney Jenny Johnson, Michael Dorfman and Timothy Vezeau egarding mandatory registration for a CM/ECF account . (km, ) (Entered: 03/23/2007)

03/29/2007	<u>56</u>	<i>Defendant's</i> ANSWER to Amended Complaint, Amended COUNTERCLAIM against iLight Technologies, Inc. by Tivoli, LLC. (Gray, Gordon) (Entered: 03/29/2007)
04/16/2007	<u>57</u>	REPLY to Counterclaims <u>56</u> by iLight Technologies, Inc..(Price, Stephen) Modified text and added link on 4/17/2007 (km, ). (Entered: 04/16/2007)
04/27/2007	<u>58</u>	Joint MOTION to Clarify re <u>38</u> Order on Motion to Consolidate Cases, <i>Joint Request for Clarification of Consolidation Order</i> by iLight Technologies, Inc.. (Price, Stephen) (Entered: 04/27/2007)
05/22/2007	<u>59</u>	ORDER: Joint Motion to Clarify <u>58</u> is granted. The Order in 2:06cv25 DE# <u>65</u> is Vacated. The Court will enter the parties' proposed Order DE# <u>66</u> in Case No. 2:06cv25. The Clerk shall file this Order in both cases listed on this motion. Signed by Judge William J. Haynes Jr. on 5/22/07. (dt) (Entered: 05/22/2007)
05/23/2007	<u>60</u>	AMENDED ORDER: Joint MOTION to Clarify <u>77</u> is Granted. The Orders in 2:06cv25 <u>75</u> and <u>78</u> are Vacated. The Court will enter this Order in case numbers 2:06cv25 and 2:06cv26. Signed by Judge William J. Haynes Jr. on 5/23/07. (dt) (Entered: 05/24/2007)
05/24/2007	<u>61</u>	First MOTION to File Motions for Summary Adjudication and Supporting Documents Under Seal by Tivoli, LLC. (Gray, Gordon) Modified Text on 5/25/07 (jb). (Entered: 05/24/2007)
05/25/2007		Note to Filer re DE #61-The filer's name should be typed in the space where the signature would otherwise appear preceded by the symbol "s/" or inserted by facsimile signature. This document does not need to be re-filed unless otherwise directed by the Court. (jb) (Entered: 05/25/2007)
05/29/2007	<u>62</u>	ORDER granting <u>61</u> Motion to file Motion for Summary Adjudication and supporting documents under seal . Signed by Judge William J. Haynes Jr. on 5/29/07. (km, ) (Entered: 05/29/2007)
05/29/2007	<u>63</u>	Sealed Document <i>Motion for Summary Adjudication re NonInfringement and Claim Construction</i> filed by Tivoli, LLC. (Attachments: # (1) Exhibit Declaration of Gray and Exhibits# (2) Exhibit Declaration of Russell and Exhibits# (3) Supplement Statement of Uncontroverted Facts)(Gray, Gordon) (Entered: 05/29/2007)
05/29/2007	<u>64</u>	Sealed Document <i>Motion for Summary Adjudication on Damages</i> filed by Tivoli, LLC. (Attachments: # (1) Exhibit Declaration of Gray and Exhibits# (2) Supplement Statement of Uncontroverted Facts)(Gray, Gordon) (Entered: 05/29/2007)
05/29/2007		MOTION for Summary Adjudication re Noninfringement and claim construction by Tivoli, LLC. (docketed for internal tracking purposes- See DE #63) (km, ) (Entered: 06/25/2007)
05/29/2007		MOTION for Summary Adjudication on damages by Tivoli, LLC. (docketed for internal tracking purposes - See DE #64) (km, ) (Entered: 06/25/2007)

05/30/2007		Note to Filer re DE # 63 & 64: Statement of Facts and Declarations should be filed as separate entries, not as attachments. Each exhibit should be filed as a separate attachment to the main document and the mandatory description field used. These documents do not need to be re-filed unless otherwise directed by the Court. (km, ) (Entered: 05/30/2007)
05/31/2007	<u>65</u>	MOTION for Partial Summary Judgment <i>iLight Technologies, Inc.'s Motion for Partial Summary Judgment</i> by iLight Technologies, Inc.. (Price, Stephen) (Entered: 05/31/2007)
05/31/2007	<u>66</u>	DECLARATION of John W. Scruton In Support Of Motion For Summary Adjudication filed by iLight Technologies, Inc. re: <u>65</u> MOTION for Partial Summary Judgment <i>iLight Technologies, Inc.'s Motion for Partial Summary Judgment</i> . (Attachments: # <u>1</u> Exhibit A--Element-By-Element Comparison of Technical Expert Reports)(Price, Stephen) (Entered: 05/31/2007)
05/31/2007	<u>67</u>	STATEMENT of Undisputed Facts in Support of iLight Technologies, Inc.'s Motion for Partial Summary Judgment <u>65</u> . (Price, Stephen) Modified to add link on 6/1/2007 (km, ). (Entered: 05/31/2007)
05/31/2007	<u>68</u>	MOTION to file Motion for Summary Adjudication re invalidity and supporting documents under seal by Tivoli, LLC. (Gray, Gordon) Modified text on 6/1/2007 (km, ). (Entered: 05/31/2007)
05/31/2007	<u>69</u>	MOTION for Leave to file Summary Judgment pleadings under seal re <u>65</u> by iLight Technologies, Inc.. (Price, Stephen) Modified text and add link on 6/1/2007 (km, ). (Entered: 05/31/2007)
05/31/2007	<u>70</u>	Sealed Document <i>iLight Technologies, Inc.'s Memorandum of Law in Support of Its Motion for Partial Summary Judgment <u>65</u></i> filed by iLight Technologies, Inc.. (Attachments: # (1) Exhibit A--Figures 12 and 13 Roberts Report# (2) Exhibit B--Figures 1, 2 and 3 of '262 Patent)(Price, Stephen) Modified text on 6/1/2007 (km, ). (Entered: 05/31/2007)
05/31/2007	<u>71</u>	Sealed Document <i>Declaration of Stephen H. Price in Support of iLight Technologies, Inc.'s Motion for Partial Summary Judgment <u>65</u></i> w/exhibit 1 filed by iLight Technologies, Inc.. (Attachments: # (1) Exhibit 1-part 1--pages 1-31 of Report of Victor D. Roberts, Ph.D.# (2) Exhibit 1--part 2--pages 32-61 of Report of Victor D. Roberts, Ph.D.# (3) Exhibit A to Exhibit 1--CV of Victor D. Roberts# (4) Exhibit 1--Exhibit B--Material Studied# (5) Exhibit 1--Exhibit C--Fresnel Reflection# (6) Exhibit 1--Exhibit D--Neon Lamps# (7) Exhibit 1--Exhibit E--Tivoflex Accent Lighting# (8) Exhibit 1--Exhibit F--Certified Test Report# (9) Exhibit 1--Exhibit G--Claim Chart# (10) Exhibit 1--Exhibit H--U.S. Patent 6,592,238 B2# (11) Exhibit 1--Exhibit I--U.S. Patent 6,953,262 B2# (12) Exhibit 1--Exhibit J--U.S. Patent 7,188,970 B2# (13) Exhibit 1--Exhibit K, part 1 of 2# (14) Exhibit 1--Exhibit K--part 2 of 2)(Price, Stephen) Modified text on 6/1/2007 (km, ). (Entered: 05/31/2007)
05/31/2007	<u>72</u>	Sealed Document <i>Additional Attachments to Declaration of Stephen H. Price in Support of iLight Technologies, Inc.'s Motion for Partial Summary Judgment <u>65</u></i> filed by iLight Technologies, Inc.. (Attachments: #

		(1) Exhibit 2—Expert Report of Nikcholas P. Godicic# (2) Exhibit 3—Tivoli's Rule 26 Expert Disclosure for Albin Gess# (3) Exhibit 4—Tivoli's rule 26 Expert Disclosure for M.L. Hedberg# (4) Exhibit 5—Hulse deposition transcript, pages 1-117# (5) Exhibit 5—George Hulse deposition transcript, pages 118-124# (6) Exhibit 6—David Nagle deposition transcript# (7) Exhibit 7—Deposition transcript of Eric Kramer, pages 1-96# (8) Exhibit 7—Deposition transcript of Eric Kramer, pages 97-164#(Price, Stephen) Modified text on 6/1/2007 (km, ). (Entered: 05/31/2007)
05/31/2007	<u>73</u>	Sealed Document <i>Additional Attachments to Declaration of Stephen H.Price in Support of iLight Technologies, Inc.'s Motion for Partial Summary Judgment 65</i> filed by iLight Technologies, Inc.. (Attachments: # (1) Exhibit 8—U.S. Patent 6,676,284 B1# (2) Exhibit 9—U.S. Patent 6,361,186 B1# (3) Exhibit 10—U.S. Patent No. 5,812,714# (4) Exhibit 11—U.S. Patent 6,168,302 B1# (5) Exhibit 12—U.S. Patent 6,217,201 B1—sheets 1-29# (6) Exhibit 12—U.S. Patent No. 6,217,201, sheets 30-35 and attached assembly# (7) Exhibit 13—U.S. Patent 6,244,734 B1# (8) Exhibit 14—U.S. Patent 6,260,991 B1)(Price, Stephen) Modified text on 6/1/2007 (km, ). (Entered: 05/31/2007)
05/31/2007	<u>74</u>	APPENDIX filed by iLight Technologies, Inc. re [70] Sealed Document,. (Attachments: # 1 Exhibit A—Britton v. Loggans# 2 Exhibit B—Helver v. Novo Indus. Inc.)(Price, Stephen) (Entered: 05/31/2007)
06/01/2007		Note to Filer re DE #68 & 69: A Motion for leave should be filed using the relief "Leave" found under the category "Motions". These documents do not need to be re-filed unless otherwise directed by the Court. (km, ) (Entered: 06/01/2007)
06/01/2007	<u>75</u>	ORDER granting 68 Motion to file Motion for summary adjudication re invalidity and supporting documents under seal . Signed by Judge William J. Haynes Jr. on 6/1/07. (km, ) (Entered: 06/01/2007)
06/01/2007	<u>76</u>	ORDER: 69 Motion for leave to file summary judgment pleadings under seal is granted . Signed by Judge William J. Haynes Jr. on 6/1/07. (km, ) (Entered: 06/01/2007)
06/04/2007	<u>77</u>	NOTICE by iLight Technologies, Inc. re [70] Sealed Document, <i>Notice Of Correction Of iLight Technologies, Inc.'s Memorandum Of Law In Support Of Its Motion For Partial Summary Judgment</i> (Price, Stephen) (Entered: 06/04/2007)
06/06/2007	<u>78</u>	Sealed Document <i>Motion for Summary Adjudication on the issue of Invalidity of Claims 8 and 25 of the '238 patent</i> filed by Tivoli, LLC. (Gray, Gordon) (Entered: 06/06/2007)
06/06/2007	<u>79</u>	Sealed Document <i>Statement of Uncontroverted Facts and Law re Invalidity of Claims 8 and 25 of the '238 patent</i> filed by Tivoli, LLC. (Gray, Gordon) (Entered: 06/06/2007)
06/06/2007	<u>80</u>	Sealed Document <i>Declaration of Gray in support of Motion for Summary Adjudication re Invalidity</i> filed by Tivoli, LLC. (Attachments: # (1)

		Exhibit Exhibits 1 and 5# (2) Exhibit Exhibit 24 pages 1-4# (3) Exhibit Exhibit 24 pages 5-8# (4) Exhibit Exhibit 24 pages 9-14# (5) Exhibit Exhibits 63 and 64)(Gray, Gordon) (Entered: 06/06/2007)
06/06/2007	<u>81</u>	Sealed Document <i>Declaration of Paris re Motion for Summary Adjudication of Invalidity</i> filed by Tivoli, LLC. (Gray, Gordon) (Entered: 06/06/2007)
06/06/2007		MOTION for Summary Adjudication on the issue of invalidity of claims 8 & 25 of the '238 patent by Tivoli, LLC. (docketed for internal tracking purposes - See DE #78) (km, ) (Entered: 06/25/2007)
06/07/2007		Note to Filer re DE #80 & 81: Each exhibit should be filed as a separate attachment to the main document and the mandatory description field used. The mandatory description field should be used to accurately describe the contents of your attachments (labeling as Exhibit A, B, C or Exhibit 1, 2, 3 is not sufficient). These documents do not need to be re-filed unless otherwise directed by the Court . (km, ) (Entered: 06/07/2007)
06/07/2007	<u>82</u>	DECLARATION of Jang filed by Tivoli, LLC re: [78] Sealed Document. (Gray, Gordon) (Entered: 06/07/2007)
06/18/2007	<u>83</u>	MOTION for Leave to File Document Under Seal <i>Motion For Leave To File Summary Judgment Pleadings Under Seal</i> by iLight Technologies, Inc.. (Price, Stephen) (Entered: 06/18/2007)
06/18/2007	<u>84</u>	Sealed Document <i>iLight Technologies, Inc.'s Response To Tivoli, LLC's Motion For Partial Summary Judgment As To Damages</i> filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 06/18/2007)
06/18/2007	<u>85</u>	Sealed Document <i>iLight Technologies, Inc.'s Response In Opposition To Tivoli, LLC's Motion For Partial Summary Judgment As To Alleged Non-Infringement</i> filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 06/18/2007)
06/18/2007	<u>86</u>	Sealed Document <i>Declaration Of Stephen H. Price In Support Of iLight Technologies, Inc.'s Responses To Tivoli, LLC's Motions For Partial Summary Judgment</i> filed by iLight Technologies, Inc.. (Attachments: # (1) Exhibit A--copy of U.S. Patent No. 6,394,623 ("Tsui")# (2) Exhibit B--cover page and page 4 of Expert Report of Walter Bratic)(Price, Stephen) (Entered: 06/18/2007)
06/18/2007	<u>87</u>	Sealed Document <i>Declaration Of John W. Scruton In Support Of iLight Technologies' Opposition To Tivoli, LLC's Motion For Partial Summary Judgment As To Alleged Infringement</i> filed by iLight Technologies, Inc.. (Attachments: # (1) Exhibit A--rode definition from Encarta World English Dictionary# (2) Exhibit B--rod definition from Merriam-Webster's Online Dictionary# (3) Errata C--rod definition from The Online Plain Text English Dictionary# (4) Exhibit D--rod definition from Random House Webster's Unabridged Dictionary# (5) Exhibit E--rope definition from Encarta World English Dictionary# (6) Exhibit F--rope definition from Merriam-Webster Online Dictionary# (7) Exhibit G--

		sheath definition from Encarta World English Dictionary# (8) Exhibit H-sheath definition from Merriam-Webster Online Dictionary# (9) Exhibit I-"juxtapose", "juxtaposition", and "surface" definitions)(Price, Stephen) (Entered: 06/18/2007)
06/18/2007	<u>88</u>	Sealed Document <i>iLight Technologies, Inc's Statement Of Undisputed Facts In Opposition To Defendant's Motion For Summary Adjudication Of The Issues Of Non-Infringement And Claim Construction</i> filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 06/18/2007)
06/20/2007	<u>89</u>	First MOTION to Seal Document <i>Opposition to Motion for Partial Summary Judgment and Supporting Papers</i> by Tivoli, LLC. (Gray, Gordon) (Entered: 06/20/2007)
06/20/2007	<u>90</u>	First MOTION for Leave to File Excess Pages <i>for Opposition to Motion for Partial Summary Judgment</i> by Tivoli, LLC. (Gray, Gordon) (Entered: 06/20/2007)
06/20/2007	<u>91</u>	Sealed Document <i>Defendant's Opposition to Motion for Partial Summary Judgment</i> filed by Tivoli, LLC. (Gray, Gordon) (Entered: 06/20/2007)
06/20/2007	<u>92</u>	Sealed Document <i>Statement of Disputed Facts in Opposition to Motion for Partial Summary Judgment and Statement of Undisputed Fact in support of Cross Motion for Summary Judgment re Non-Enablement</i> filed by Tivoli, LLC. (Gray, Gordon) (Entered: 06/20/2007)
06/20/2007	<u>93</u>	Sealed Document <i>Declaration of Gray in support of Opposition to Motion for Partial Summary Judgment and Exhibits</i> filed by Tivoli, LLC. (Attachments: # (1) Exhibit Exhibit 1 - '238 patent# (2) Exhibit Exhibit 2 - '238 patent file history excerpt# (3) Exhibit Exhibit 3 - '262 patent# (4) Exhibit Exhibit 5 - Provisional patent application# (5) Exhibit Exhibit 6 - iLight's 2000 business plan# (6) Exhibit Exhibit 7 - iLight's 2003 business plan excerpt# (7) Exhibit Exhibit 8 - iLight's 2001 business plan excerpt# (8) Exhibit Exhibit 9 - iLight's 2005 business plan excerpt# (9) Exhibit Exhibit 10 - Hulse diary excerpt# (10) Exhibit Exhibit 11 - picture of iLight's Plexineon# (11) Exhibit Exhibit 12 - photo of Tivoli's TivoFlex# (12) Exhibit Exhibit 19 - Hulse notebook excerpt# (13) Exhibit Exhibit 20 - '734 patent# (14) Exhibit Exhibit 21 - Hulse email re flexible product development# (15) Exhibit Exhibit 27 - '472 patent# (16) Exhibit Exhibit 57 - '472 patent 1st IDS# (17) Exhibit Exhibit 58 - '970 patent# (18) Exhibit Exhibit 63 - Roberts' report excerpt# (19) Exhibit Exhibit 64 - iLight supplement interrogatory response excerpt# (20) Exhibit Exhibit 65 - email from iLight counsel and attachment re LumiLed# (21) Exhibit Exhibit 66 - Letter to iLight counsel re prior art disclosure# (22) Exhibit Exhibit 67 - Tivoli's supplemental interrogatory response re prior art# (23) Exhibit Exhibit 68 - Hedberg report# (24) Exhibit Exhibit 69 - Gess report)(Gray, Gordon) (Entered: 06/20/2007)
06/20/2007	<u>94</u>	DECLARATION of Marie Paris filed by Tivoli, LLC re: [91] Sealed Document, [92] Sealed Document. (Attachments: # 1 Exhibit 23 - 1999 Tivoli EL brochure)(Gray, Gordon) (Entered: 06/20/2007)
06/20/2007	<u>95</u>	DECLARATION of Peter Jang filed by Tivoli, LLC re: [91] Sealed

		Document, [92] Sealed Document. (Attachments: # 1 Exhibit 24 - 1999 Neo-Neon brochure pages 1-4# 2 Exhibit 24 - 1999 Neo-Neon brochure pg 5-8# 3 Exhibit 24 - 1999 Neo-Neon brochure pg 9-14)(Gray, Gordon) (Entered: 06/20/2007)
06/20/2007	<u>96</u>	DECLARATION of Kevin Russell filed by Tivoli, LLC re: [91] Sealed Document, [92] Sealed Document. (Attachments: # 1 Exhibit 61 - Photograph of rolled TivoFlex# 2 Exhibit 62- photograph of TivoFlex cross-section)(Gray, Gordon) (Entered: 06/20/2007)
06/20/2007	<u>97</u>	APPENDIX filed by Tivoli, LLC re [91] Sealed Document (Attachments: # 1 Appendix A - McKesson Federal Circuit case# 2 Appendix B - MPEP 2001-06c# 3 Appendix C - MPEP 2004)(Gray, Gordon) (Entered: 06/20/2007)
06/20/2007	<u>98</u>	Sealed Document <i>Declaration of Gray in support of Opposition to Motion for Partial Summary Judgment</i> filed by Tivoli, LLC. (Attachments: # (1) Exhibit Depo. Excerpts of Hulse# (2) Exhibit Depo Excerpts of David Nagle# (3) Exhibit Depo Excerpt of Eriksson# (4) Exhibit Depo Excerpts of Erik Kramer)(Gray, Gordon) (Entered: 06/20/2007)
06/21/2007	<u>99</u>	ORDER granting 83 Motion for Leave to File Document Under Seal . Signed by Judge William J. Haynes Jr. on 6/20/07. (km, ) (Entered: 06/21/2007)
06/24/2007	<u>100</u>	ORDER granting 89 Motion to file opposition to Motion for partial summary judgment and supporting documents under seal . Signed by Judge William J. Haynes Jr. on 6/21/07. (km, ) (Entered: 06/25/2007)
06/24/2007	<u>101</u>	ORDER granting 90 Motion for Leave to File opposition to Motion for partial summary judgment exceeding page limits . Signed by Judge William J. Haynes Jr. on 6/21/07. (km, ) (Entered: 06/25/2007)
06/26/2007	<u>102</u>	MOTION for Leave to File Document Under Seal <i>Motion for Leave to File Opposition to Summary Judgment Pleadings Under Seal</i> by iLight Technologies, Inc.. (Price, Stephen) (Entered: 06/26/2007)
06/26/2007	<u>103</u>	Sealed Document <i>iLight Technologies, Inc.'s Response in Opposition to Tivoli, LLC's Motion for Partial Summary Judgment as to Alleged Patent Invalidity</i> filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 06/26/2007)
06/26/2007	<u>104</u>	Sealed Document <i>Statement of Disputed Facts in Support of iLight Technologies, Inc.'s Opposition to Tivoli, LLC's Motion for Summary Adjudication on the Issue of Alleged Invalidity of Claims 8 and 25 of the '238 Patent</i> filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 06/26/2007)
06/26/2007	<u>105</u>	Sealed Document <i>Declaration of Victor D. Roberts, Ph.D. in Support of iLight Technologies, Inc.'s Opposition to Tivoli, LLC's Motion for Summary Adjudication on the Issue of Alleged Invalidity of Claims 8 and 25 of the '238 Patent</i> filed by iLight Technologies, Inc.. (Price, Stephen)

		(Entered: 06/26/2007)
06/26/2007	<u>106</u>	Sealed Document <i>Declaration of George Hulse in Support of iLight Technologies, Inc.'s Opposition to Tivoli, LLC's Motion for Summary Adjudication on the Issue of Alleged Invalidity of Claims 8 and 25 of the '238 Patent</i> filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 06/26/2007)
06/26/2007	<u>107</u>	(DISREGARD-WRONG PDF DECLARATION ATT'D-SEE DE 110) Sealed Document <i>Declaration of John W. Scruton in Support of iLight Technologies, Inc.'s Opposition to Tivoli, LLC's Motion for Summary Adjudication on the Issue of Alleged Invalidity of Claims 8 and 25 of the '238 Patent</i> filed by iLight Technologies, Inc.. (Attachments: # (1) Exhibit A--Ultra Brite Duralight website# (2) Exhibit B--Ultra Brite Flat Duralight website# (3) Exhibit C--Duralight series website# (4) Exhibit D--Duralight website# (5) Exhibit E--Flat Duralight website# (6) Exhibit F--Mini Flat Duralight website)(Price, Stephen) Modified on 6/27/2007 (aef, ). (Entered: 06/26/2007)
06/26/2007	<u>108</u>	Sealed Document <i>Declaration of Stephen H. Price in Support of iLight Technologies, Inc.'s Response to Tivoli, LLC's Motion for Summary Adjudication on the Issue of Alleged Invalidity of Claims 8 and 25 of the '238 Patent</i> filed by iLight Technologies, Inc.. (Attachments: # (1) Exhibit A--Gray 6--8-07 letter# (2) Exhibit B--Tivoli Brochure# (3) Exhibit D--Gray 6-11-07 letter)(Price, Stephen) (Entered: 06/26/2007)
06/26/2007	<u>109</u>	Sealed Document <i>Motion for Leave to Manually File Exhibit in Support of Opposition to Motion for Summary Adjudication</i> filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 06/26/2007)
06/27/2007	<u>110</u>	Sealed Document <i>Declaration of John W. Scruton in Support of iLight Technologies, Inc.'s Opposition to Tivoli, LLC's Motion for Summary Adjudication on the Issue of Alleged Invalidity of Claims 8 and 25 of the '238 Patent</i> filed by iLight Technologies, Inc.. (Attachments: # (1) Exhibit A--Ultra Brite Duralight website# (2) Exhibit B--Ultra Brite Flat Duralight website# (3) Exhibit C--Duralight series website# (4) Exhibit D--Duralight website# (5) Exhibit E--Flat Duralight website# (6) Exhibit F--Mini Flat Duralight website)(Price, Stephen) (Entered: 06/27/2007)
06/27/2007		DE 107, filed 6/26/07, has wrong PDF declaration attached. Disregard this entry. See DE 110 for correct filing. (aef, ) (Entered: 06/27/2007)
06/29/2007	<u>111</u>	ORDER granting <u>102</u> Motion for Leave to File opposition to summary judgment pleadings Under Seal . Signed by Judge William J. Haynes Jr. on 6/28/07. (km, ) (Entered: 06/29/2007)
07/05/2007	<u>112</u>	MOTION for Leave to File Document Under Seal <i>Motion for Leave to File Summary Judgment Pleadings Under Seal</i> by iLight Technologies, Inc.. (Price, Stephen) (Entered: 07/05/2007)
07/05/2007	<u>113</u>	Sealed Document <i>iLight Technologies, Inc.'s Reply in Support of Its Motion for Partial Summary Judgment</i> filed by iLight Technologies, Inc.. (Attachments: # (1) Exhibit McKesson Information Solutions, Inc.)



		(Price, Stephen) (Entered: 07/05/2007)
07/05/2007	<u>114</u>	Sealed Document <i>Declaration of John W. Scruton in Support of iLight Technologies, Inc.'s Reply in Support of Its Motion for Partial Summary Judgment</i> filed by iLight Technologies, Inc.. (Attachments: # (1) Exhibit A--Lin Patent No. 4607317# (2) Exhibit B--Camaota Patent No. 5934792# (3) Exhibit C--Eriksson deposition pages# (4) Exhibit D--iLight supplemental report)(Price, Stephen) (Entered: 07/05/2007)
07/06/2007	<u>115</u>	First MOTION to Seal Document <i>Reply Brief and Reply Statement and to file a reply brief</i> by Tivoli, LLC. (Gray, Gordon) (Entered: 07/06/2007)
07/06/2007	<u>116</u>	Sealed Document <i>Reply brief re Motions for Summary Adjudication and Request for Oral Argument</i> filed by Tivoli, LLC. (Attachments: # (1) Exhibit Roberts Report excerpt)(Gray, Gordon) (Entered: 07/06/2007)
07/06/2007	<u>117</u>	Sealed Document <i>Tivoli's Reply to iLight's Alleged Additional Facts</i> filed by Tivoli, LLC. (Gray, Gordon) (Entered: 07/06/2007)
07/09/2007	<u>118</u>	ORDER granting <u>112</u> Motion for Leave to File Document Under Seal . Signed by Judge William J. Haynes Jr. on 7/6/07. (km, ) (Entered: 07/09/2007)
07/09/2007	<u>119</u>	ORDER granting <u>115</u> Motion to file reply brief under seal . Signed by Judge William J. Haynes Jr. on 7/9/07. (km, ) (Entered: 07/09/2007)
07/10/2007	<u>120</u>	MOTION for Leave to File Document Under Seal <i>Summary Judgment Pleadings</i> by iLight Technologies, Inc., iLight Technologies, Inc., iLight Technologies, Inc.. (Price, Stephen) (Entered: 07/10/2007)
07/10/2007	<u>121</u>	Sealed Document <i>Statement of Disputed Facts in Support of iLight's Opposition to Tivoli's Cross-Motion for Partial Summary Adjudication</i> filed by iLight Technologies, Inc., iLight Technologies, Inc., iLight Technologies, Inc.. (Price, Stephen) (Entered: 07/10/2007)
07/10/2007	<u>122</u>	MOTION for Hearing re [78] Sealed Document, [63] Sealed Document,, <u>65</u> MOTION for Partial Summary Judgment <i>iLight Technologies, Inc.'s Motion for Partial Summary Judgment</i> by iLight Technologies, Inc., iLight Technologies, Inc., iLight Technologies, Inc.. (Price, Stephen) (Entered: 07/10/2007)
07/13/2007	<u>123</u>	ORDER granting <u>120</u> Motion for Leave to File Document Under Seal . Signed by Judge William J. Haynes Jr. on 7/13/07. (km, ) (Entered: 07/16/2007)
07/17/2007	<u>124</u>	ORDER: The request for oral argument on summary judgment motion is granted. Motion Hearing set for 7/27/2007 10:00 AM in Cookeville before District Judge William J. Haynes Jr. Signed by Judge William J. Haynes Jr. on 7/16/07. (km, ) (Entered: 07/17/2007)
07/20/2007	<u>125</u>	MOTION for Leave to File Document Under Seal <i>Summary Judgment Sur-Reply Brief</i> by iLight Technologies, Inc.. (Price, Stephen) (Entered: 07/20/2007)

07/20/2007	<u>126</u>	Sealed Document - Sur-Reply Brief in Support of 65 Motion for Partial Summary Judgment filed by iLight Technologies, Inc. (Price, Stephen) Modified Text on 7/25/07 (jb). (Entered: 07/20/2007)
07/24/2007	<u>127</u>	ORDER granting <u>125</u> Motion for Leave to File Summary Judgment Sur-Reply Brief Under Seal . Signed by Judge William J. Haynes Jr. on 7/23/07. (jb) (Entered: 07/25/2007)
07/27/2007	<u>128</u>	SEALED ORDER . Signed by Judge William J. Haynes Jr. on 7/26/07. (km, ) (Entered: 07/27/2007)
08/06/2007	<u>129</u>	First MOTION to Seal <i>Supplemental Brief</i> by Tivoli, LLC. (Gray, Gordon) (Entered: 08/06/2007)
08/06/2007	<u>130</u>	Sealed Document <i>Supplemental Brief</i> filed by Tivoli, LLC. (Attachments: # (1) Exhibit Exhibit 70 - Tsui patent)(Gray, Gordon) (Entered: 08/06/2007)
08/07/2007	<u>131</u>	Minute Entry for proceedings held before Judge William J. Haynes Jr.: Oral Argument held on 7/27/07 on 65 MOTION for Partial Summary Judgment. (w/attached Exhibit and Witness List) (Court Reporter Charlotte Sloan.) (km, ) (Entered: 08/07/2007)
08/08/2007	<u>132</u>	ORDER: Final Pretrial conference set for 8/27/07 at 3:00 and the trial set for 9/18/07 at 9:00 are CONTINUED pending the Court's ruling on the motion for summary judgment [63] and motion for partial summary judgment <u>65</u> . Signed by Judge William J. Haynes Jr. on 8/8/07. (km, ) (Entered: 08/08/2007)
08/10/2007	<u>133</u>	MOTION for Leave to File Document Under Seal <i>Summary Judgment Supplemental Brief</i> by iLight Technologies, Inc.. (Price, Stephen) (Entered: 08/10/2007)
08/10/2007	<u>134</u>	Sealed Document <i>Supplemental Brief in Support of its Motion for Partial Summary Judgment 65</i> filed by iLight Technologies, Inc.. (Attachments: # (1) Exhibit A Flexible Lighting System# (2) Exhibit B U.S. Patent# (3) Exhibit C Tivoflex Accent Lighting# (4) Exhibit D Excerpt of Kevin Russell Deposition# (5) Exhibit E Page 3 of Decl of Victor Roberts# (6) Exhibit F Duralight Series# (7) Exhibit G Federal Register# (8) Exhibit H Excerpt of Deposition# (9) Exhibit I Excerpt of David Nagle Jr Deposition# (10) Exhibit J Excerpt of Deposition)(Price, Stephen) Modified to add link on 8/13/2007 (km, ). (Entered: 08/10/2007)
08/21/2007	<u>135</u>	ORDER granting <u>129</u> Motion to File Supplemental brief under Seal . Signed by Judge William J. Haynes Jr. on 8/21/07. (km, ) (Entered: 08/22/2007)

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<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	2:06-cv-00026
<b>Billable Pages:</b>	10	<b>Cost:</b>	0.80

**KNOWLES, LEAD-CASE-FOR-DISCOVERY, LEAD-CASE-FOR-PRETRIAL, PROTECTIVE-  
ORDER**

**U.S. District Court  
Middle District of Tennessee (Cookeville)  
CIVIL DOCKET FOR CASE #: 2:06-cv-00025**

iLight Technologies, Inc. v. Fallon Luminous Products Corporation

Assigned to: District Judge William J. Haynes, Jr

Cause: 35:0101 Patent Infringement

Date Filed: 03/24/2006

Jury Demand: Both

Nature of Suit: 830 Patent

Jurisdiction: Federal Question

Date Filed	#	Docket Text
03/24/2006	<u>1</u>	COMPLAINT against Fallon Luminous Products Corporation (Filing fee \$250 paid), filed by iLight Technologies, Inc..(eh) (Entered: 03/24/2006)
03/24/2006	<u>2</u>	CORPORATE DISCLOSURE STATEMENT filed by iLight Technologies, Inc.. (eh) (Entered: 03/24/2006)
03/24/2006	<u>3</u>	NOTICE of Initial Case Management Conference set for Monday 5/22/2006 at 02:00 PM in Courtroom A859 before District Judge William J. Haynes. (eh) (Entered: 03/24/2006)
03/24/2006		Summons issued as to Fallon Luminous Products Corporation. (eh) (Entered: 03/24/2006)
03/30/2006	<u>4</u>	MOTION for attorney Joel T. Beres to Appear Pro Hac Vice by iLight Technologies, Inc.. Responses due by 4/17/2006 (Attachments: # <u>1</u> Exhibit Certificate of Good Standing) (PHV Fee Paid) (Michels, James) Modified Text on 3/31/2006 (dt). Modified Text on 4/6/2006 (dt). (Entered: 03/30/2006)
03/31/2006		NOTE TO FILER re: Docket Entry No. 4. In the future, a certificate of good standing needs to be filed as a separate entry, receiving a docket entry number. Also, the fee for the Motion for Pro Hac Vice has not been paid. These pleadings Do Not need to be refiled. (dt) (Entered: 03/31/2006)
03/31/2006	<u>5</u>	SUMMONS returned executed by iLight Technologies, Inc.. Fallon Luminous Products Corporation served on 3/27/2006, answer due 4/17/2006. (Attachments: # <u>1</u> Affidavit of Process Server)(Michels, James) (Entered: 03/31/2006)
03/31/2006	<u>6</u>	ORDER: Case Management Conference reset for 5/15/2006 at 2:00 PM in Cookeville before District Judge William J. Haynes. Signed by Judge William J. Haynes on 3/30/06. (dt) (Entered: 03/31/2006)
04/03/2006	<u>7</u>	ORDER granting 4 Motion for Joel T. Beres to Appear Pro Hac Vice . Signed by Judge William J. Haynes on 4/3/06. (gi, ) (Entered: 04/03/2006)

04/06/2006	<u>8</u>	RECEIPT #109436 in the amount of \$75.00 posted by Stites & Harbison for Joel T. Beres, attorney for iLight Technologies, Inc., re 4 Motion to Appear Pro Hac Vice. (dt) (Entered: 04/06/2006)
04/12/2006	<u>9</u>	NOTICE of Appearance by Samuel David Lipshie and Jonathan D. Rose on behalf of Fallon Luminous Products Corporation (Lipshie, Samuel) Modified Text on 4/13/2006 (dt). (Entered: 04/12/2006)
04/13/2006	<u>10</u>	MOTION for attorney David Frazee to Appear Pro Hac Vice by Fallon Luminous Products Corporation. Responses due by 5/1/2006 (Attachments: # <u>1</u> Proposed Order Granting Motion for Admission Pro Hac Vice for David Frazee)(Lipshie, Samuel) (PHV Fee Paid on 4/17/06) Modified Text on 4/14/2006 (dt). Modified Text on 4/21/2006 (dt). (Entered: 04/13/2006)
04/13/2006	<u>11</u>	CERTIFICATE OF GOOD STANDING filed by Fallon Luminous Products Corporation. (Lipshie, Samuel) (Entered: 04/13/2006)
04/13/2006	<u>12</u>	MOTION for attorney Kenneth S. Korea to Appear Pro Hac Vice by Fallon Luminous Products Corporation. Responses due by 5/1/2006 (Attachments: # <u>1</u> Proposed Order Granting Motion for Admission Pro Hac Vice of Kenneth S. Korea)(Lipshie, Samuel) (PHV Fee Paid on 4/17/06) Modified Text on 4/14/2006 (dt). Modified on 4/21/2006 (dt). (Entered: 04/13/2006)
04/13/2006	<u>13</u>	CERTIFICATE OF GOOD STANDING filed by Fallon Luminous Products Corporation. (Lipshie, Samuel) (Entered: 04/13/2006)
04/13/2006	<u>14</u>	MOTION for attorney Jong P. Hong to Appear Pro Hac Vice by Fallon Luminous Products Corporation. Responses due by 5/1/2006 (Attachments: # <u>1</u> Proposed Order Granting Motion for Admission Pro Hac Vice of Jong P. Hong)(Lipshie, Samuel) (PHV Fee Paid on 4/17/06) Modified Text on 4/14/2006 (dt). Modified Text on 4/21/2006 (dt). (Entered: 04/13/2006)
04/13/2006	<u>15</u>	CERTIFICATE OF GOOD STANDING filed by Fallon Luminous Products Corporation. (Lipshie, Samuel) (Entered: 04/13/2006)
04/14/2006		Note to Filer re: Docket Entry Nos. 10, 12 and 14 Motions for Pro Hac Vice. The \$75.00, per attorney, filing fee for the Motions for Pro Hac Vice has not been paid. (dt) (Entered: 04/14/2006)
04/17/2006	<u>16</u>	ORDER granting <u>10</u> Motion for David Frazee to Appear Pro Hac Vice. Signed by Judge William J. Haynes on 4/17/06. (dt) (Entered: 04/17/2006)
04/17/2006	<u>17</u>	ORDER granting <u>12</u> Motion for Kenneth S. Korea to Appear Pro Hac Vice. Signed by Judge William J. Haynes on 4/17/06. (dt) (Entered: 04/17/2006)
04/17/2006	<u>18</u>	ORDER granting <u>14</u> Motion for Jong P. Hong to Appear Pro Hac Vice. Signed by Judge William J. Haynes on 4/17/06. (dt) (Entered: 04/17/2006)

04/17/2006	<u>19</u>	<i>Fallon Luminous Products Corporation's</i> ANSWER to Complaint with Jury Demand <i>and</i> , COUNTERCLAIM against iLight Technologies, Inc. by Fallon Luminous Products Corporation.(Lipshie, Samuel) (Entered: 04/17/2006)
04/17/2006	<u>20</u>	RECEIPT #109599 in the amount of \$225.00 posted by Greenberg Traurig for Frazee, Korea & Hong, attorneys for Fallon Luminous Products Corporation re <u>12</u> Motion to Appear Pro Hac Vice, <u>14</u> Motion to Appear Pro Hac Vice, <u>10</u> Motion to Appear Pro Hac Vice. (dt) (Entered: 04/18/2006)
04/18/2006	<u>21</u>	CORPORATE DISCLOSURE STATEMENT filed by Fallon Luminous Products Corporation. (Lipshie, Samuel) (Entered: 04/18/2006)
05/05/2006	<u>22</u>	ANSWER to Counterclaim by iLight Technologies, Inc..(Michels, James) (Entered: 05/05/2006)
05/10/2006	<u>23</u>	PROPOSED CASE MANAGEMENT ORDER <i>Plaintiff's Proposed Case Management Order</i> filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 05/10/2006)
05/10/2006	<u>24</u>	PROPOSED CASE MANAGEMENT ORDER filed by Fallon Luminous Products Corporation, Fallon Luminous Products Corporation. (Rose, Jonathan) (Entered: 05/10/2006)
05/18/2006	<u>25</u>	PROPOSED CASE MANAGEMENT ORDER <i>No. 1</i> filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 05/18/2006)
05/19/2006	<u>26</u>	Minute Entry for proceedings held before Judge William J. Haynes : Case Management Conference held on 5/15/2006. (Court Reporter Peggy Turner.) (km, ) (Entered: 05/19/2006)
05/30/2006	<u>27</u>	CASE MANAGEMENT ORDER NO. 1: Discovery due by 5/11/2007. Dispositive Motions due by 5/31/2007. Case Management Conference set for 11/20/2006 at 2:00 PM in Cookeville before District Judge William J. Haynes. Signed by Judge William J. Haynes on 5/30/06. (dt) (Entered: 05/31/2006)
06/06/2006	<u>28</u>	ORDER: Jury Trial set for 9/18/2007 at 9:00 AM before District Judge William J. Haynes. Pretrial Conference set for 8/27/2007 at 3:00 PM in Cookeville before District Judge William J. Haynes. Joint Proposed Pretrial Order due by 8/24/2007. Parties shall also submit to the Court, by 8/24/07, the following: joint proposed jury instructions and verdict forms; witness lists; exhibit lists; and stipulations. By 8/10/07, the parties shall file any mtns in limine and any mtns objecting to expert testimony. Signed by Judge William J. Haynes on 6/6/06. (dt, ) (Entered: 06/06/2006)
08/18/2006	<u>29</u>	MOTION for Entry of Stipulated Protective Order by iLight Technologies, Inc.. Responses due by 9/5/2006 (Attachments: # <u>1</u> Proposed Order Stipulated Protective Order [Proposed]# <u>2</u> Exhibit A to Stipulated Protective Order [Proposed]—Confidentiality Agreement) (Price, Stephen) Modified Text on 8/18/2006 (dt). (Entered: 08/18/2006)

08/22/2006	<u>30</u>	ORDER granting 29 Motion for Entry of Stipulated Protective Order. Signed by Judge William J. Haynes on 8/20/06. (dt) (Entered: 08/22/2006)
08/22/2006	<u>31</u>	STIPULATED PROTECTIVE ORDER. Signed by Judge William J. Haynes on 8/21/06. (dt) (Entered: 08/22/2006)
10/05/2006	<u>32</u>	MOTION for attorney John W. Scruton to Appear Pro Hac Vice by iLight Technologies, Inc.. Responses due by 10/23/2006 (Attachments: # <u>1</u> Exhibit Certificate of Good Standing# 2 Proposed Order)(Michels, James) (PHV FEE PAID on 10/6/06) Modified Text on 10/5/2006 (dt). Modified Text on 10/10/2006 (dt). (Entered: 10/05/2006)
10/05/2006	<u>33</u>	MOTION for attorney William Charles Ferrell, Jr. to Appear Pro Hac Vice by iLight Technologies, Inc.. Responses due by 10/23/2006 (Attachments: # <u>1</u> Exhibit Certificate of Good Standing# 2 Proposed Order)(Michels, James) (PHV FEE PAID on 10/6/06) Modified Text on 10/5/2006 (dt). Modified Text on 10/10/2006 (dt). (Entered: 10/05/2006)
10/05/2006	<u>34</u>	ORDER granting 32 Motion for John W. Scruton to Appear Pro Hac Vice. Signed by Judge William J. Haynes on 10/5/06. (dt) (Entered: 10/05/2006)
10/05/2006	<u>35</u>	ORDER granting 33 Motion for William Charles Ferrell, Jr. to Appear Pro Hac Vice. Signed by Judge William J. Haynes on 10/5/06. (dt) (Entered: 10/05/2006)
10/06/2006	<u>36</u>	RECEIPT #111893 in the amount of \$75.00 posted by iLight Technologies, Inc. re <u>32</u> Motion to Appear Pro Hac Vice. (dt) (Entered: 10/10/2006)
10/06/2006	<u>37</u>	RECEIPT #111894 in the amount of \$75.00 posted by Stites and Harbison for William Ferrell, attorney for iLight Technologies, Inc., re <u>33</u> Motion to Appear Pro Hac Vice. (dt) (Entered: 10/10/2006)
11/10/2006	<u>38</u>	MOTION to Consolidate Cases <i>for the Purposes of Discovery and Pretrial Matters</i> by iLight Technologies, Inc., iLight Technologies, Inc.. (Price, Stephen) (Entered: 11/10/2006)
11/10/2006	<u>39</u>	MEMORANDUM in Support of <u>38</u> MOTION to Consolidate Cases <i>for the Purposes of Discovery and Pretrial Matters</i> filed by iLight Technologies, Inc., iLight Technologies, Inc.. (Attachments: # <u>1</u> Appendix Kohus v. Toys "R" Us, Inc., et al.)(Price, Stephen) (Entered: 11/10/2006)
11/16/2006	<u>40</u>	MOTION for Settlement <i>Conference</i> by Fallon Luminous Products Corporation, Fallon Luminous Products Corporation. (Rose, Jonathan) (Entered: 11/16/2006)
11/28/2006	<u>41</u>	PROPOSED CASE MANAGEMENT ORDER <i>Case Management Order No. 3</i> filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 11/28/2006)
11/30/2006	<u>42</u>	MOTION to Seal <i>Response to Motion to Consolidate and document</i>

		<i>designated by Plaintiff as Confidential</i> by Fallon Luminous Products Corporation, Fallon Luminous Products Corporation. (Rose, Jonathan) (Entered: 11/30/2006)
11/30/2006	<u>43</u>	Sealed Document <i>Response to Motion to Consolidate</i> filed by Fallon Luminous Products Corporation, Fallon Luminous Products Corporation. (Rose, Jonathan) (Entered: 11/30/2006)
11/30/2006	<u>44</u>	Sealed Document <i>document designated Confidential by Plaintiffs</i> filed by Fallon Luminous Products Corporation, Fallon Luminous Products Corporation. (Rose, Jonathan) (Entered: 11/30/2006)
12/08/2006	<u>45</u>	ORDER granting <u>42</u> Motion to Seal. Signed by Judge William J. Haynes on 12/7/06. (dt) (Entered: 12/08/2006)
12/08/2006	<u>46</u>	ORDER: Defendant's MOTION for Judicial Settlement Conference <u>40</u> is Granted. and both actions 2:06cv25 and 2:06cv26 are REFERRED to Magistrate Judge John S. Bryant for a judicial settlement conference to be set by him. Signed by Judge William J. Haynes on 12/8/06. (dt) (Entered: 12/08/2006)
12/11/2006	<u>47</u>	ORDER: Telephone Conference set for 12/15/2006 at 01:30 PM, and shall be initiated by plaintiff's counsel. During this conference call, a settlement conference date will be selected that will be satisfactory to all sides. Signed by Judge John S. Bryant on 12/11/06. (dt) (Entered: 12/11/2006)
12/15/2006		Minute Entry for proceedings held before Magistrate Judge Bryant: Telephone Conference held on 12/15/2006. Order to enter setting date for settlement conference. (tm) (Entered: 12/15/2006)
12/18/2006	<u>48</u>	ORDER: Telephone Conference held 12/15/06 at which time a settlement conference date was set. Settlement Conference is set for 1/23/07 at 9:00 AM in Courtroom 776 before Magistrate Judge John S. Bryant. By 12:00 noon on 1/19/07, pltf and defts shall deliver under seal, directly to Tina McDonald, Courtroom Deputy to the undersigned, confidential settlement conference statements which shall specify their respective settlement positions. Signed by Judge John S. Bryant on 12/18/06. (jb) (Entered: 12/18/2006)
01/23/2007	<u>49</u>	ORDER: Settlement Conference held 1/23/07. The parties were unable to reach an agreement satisfactory to both sides. There is nothing remaining to be done by the undersigned Magistrate Judge in this matter, and the Clerk is directed to return the file to the District Judge. Signed by Judge John S. Bryant on 1/23/07. (jb) (Entered: 01/23/2007)
01/23/2007		Minute Entry for proceedings held before Magistrate Judge Bryant: Settlement Conference held on 1/23/2007. (tm) (Entered: 01/23/2007)
02/05/2007	<u>50</u>	PROPOSED STIPULATED CASE MANAGEMENT ORDER filed by iLight Technologies, Inc.. (Price, Stephen) Modified Text on 2/6/2007 (dt). (Entered: 02/05/2007)
02/06/2007	<u>51</u>	Joint Request for Expedited Status Conference by iLight Technologies,



		Inc.. (Price, Stephen) Modified Text on 2/6/2007 (dt). (Entered: 02/06/2007)
02/06/2007	<u>52</u>	ORDER: The expert deadlines in the Case Management Order 27 are amended as follows: By the close of business on 3/30/07, the party bearing the burden of proof on a particular issue shall declare to the opposing party (not file with the Court the identity of the expert witness and provide all the information specified in Rule 26(a)(2)(B), by the close of business on 5/11/07, all rebuttal expert reports shall be provided to the opposing party (not file with the court), including the identity of the expert witnesses and all information specified in Rule 26(a)(2)(B). Signed by Judge William J. Haynes on 2/6/07. (dt) (Entered: 02/06/2007)
02/07/2007	<u>53</u>	ORDER: This MOTION for Joint Request for Expedited Status Conference 51 is granted. Status Conference set for 2/13/2007 at 04:00 PM before District Judge William J. Haynes in Cookeville. Signed by Judge William J. Haynes on 2/7/07. (dt) (Entered: 02/07/2007)
02/15/2007	<u>54</u>	Minute Entry for proceedings held before Judge William J. Haynes: Status Conference held on 2/13/2007. Counsel to adhere to instructions given in open Court. The action of iLight Technologies, Inc. v. Trivoli, LLC, 2:06cv26 WILL NOT be tried with this action. Counsel will submit a proposed case management order with new dates. (Court Reporter Peggy Turner.) (dt) Modified Text on 2/15/2007 (dt). (Entered: 02/15/2007)
03/15/2007	<u>55</u>	MOTION for attorney Stefani E. Shanberg to Appear Pro Hac Vice by Fallon Luminous Products Corporation, Fallon Luminous Products Corporation. (Attachments: # <u>1</u> Proposed Order)(Rose, Jonathan) (PHV Fee Paid on 3/20/07) Modified Text on 3/16/2007 (dt). Modified Text on 3/20/2007 (dt). (Entered: 03/15/2007)
03/15/2007	<u>56</u>	MOTION for attorney Dieter A. Hellmoldt to Appear Pro Hac Vice by Fallon Luminous Products Corporation, Fallon Luminous Products Corporation. (Attachments: # <u>1</u> Proposed Order)(Rose, Jonathan) (PHV FEE PAID on 3/20/07) Modified Text on 3/16/2007 (dt). Modified Text on 3/20/2007 (dt). (Entered: 03/15/2007)
03/15/2007	<u>57</u>	MOTION to Substitute Attorney by Fallon Luminous Products Corporation, Fallon Luminous Products Corporation. (Attachments: # <u>1</u> ) (Rose, Jonathan) (Entered: 03/15/2007)
03/15/2007	<u>58</u>	NOTICE of Change of Address for attorney David Frazee by Jonathan D. Rose (same PDF as DE# 57)(xc: af)(dt) (Entered: 03/16/2007)
03/16/2007		Note to Filer re Docket Entry Nos. 55-57: An original Certificate of Good Standing, signed by the Clerk of a United States District Court to which you are admitted, in accordance with Local Rule 83.01, need to be filed. There is a fee of \$75.00 per attorney for pro hac vice motions, which will need to be mailed or brought to the Clerk's Office. Also DE# 57, Two events are contained in this document. Therefore, each must be docketed separately, which the Clerk's Office has done. These document does not need to be re-filed unless otherwise directed by the Court. (dt)

		(Entered: 03/16/2007)
03/16/2007	<u>59</u>	CERTIFICATE OF GOOD STANDING for Dieter Hermann Hellmoldt from the USDC/NDCA filed by Fallon Luminous Products Corporation, Fallon Luminous Products Corporation. (Rose, Jonathan) Modified Text on 3/19/2007 (dt). (Entered: 03/16/2007)
03/16/2007	<u>60</u>	CERTIFICATE OF GOOD STANDING for Stefani Elise Shanberg from the USDC/NDCA filed by Fallon Luminous Products Corporation, Fallon Luminous Products Corporation. (Rose, Jonathan) Modified Text on 3/19/2007 (dt). (Entered: 03/16/2007)
03/16/2007	<u>61</u>	MOTION for attorney Timothy J. Vezeau, Michael Adam Dorman and Jenny Louise Johnson to Appear Pro Hac Vice <i>Motion for Admission Pro Hac Vice</i> by iLight Technologies, Inc.. (Price, Stephen) (PHV FEE PAID on 3/20/07) Modified Text on 3/19/2007 (dt). Modified Text on 3/20/2007 (dt). (Entered: 03/16/2007)
03/16/2007	<u>62</u>	CERTIFICATE OF GOOD STANDING for Timothy J. Vezeau from the USDC/NDIL filed by iLight Technologies, Inc.. (Price, Stephen) Modified Text on 3/19/2007 (dt). (Entered: 03/16/2007)
03/16/2007	<u>63</u>	CERTIFICATE OF GOOD STANDING for Michael W. Dobbins filed by iLight Technologies, Inc.. (Price, Stephen) Modified Text on 3/19/2007 (dt). (Entered: 03/16/2007)
03/16/2007	<u>64</u>	CERTIFICATE OF GOOD STANDING for Michael W. Dobbins filed by iLight Technologies, Inc.. (Price, Stephen) Modified Text on 3/19/2007 (dt). (Entered: 03/16/2007)
03/19/2007	<u>65</u>	AMENDED COMPLAINT <i>First Amended Complaint</i> against Fallon Luminous Products Corporation, filed by iLight Technologies, Inc.. (Attachments: # <u>1</u> Exhibit 2.5—true and correct copy of '970 Patent) (Price, Stephen) (Entered: 03/19/2007)
03/19/2007	<u>66</u>	PROPOSED CASE MANAGEMENT ORDER <i>Stipulated Case Management Order No. 4</i> filed by iLight Technologies, Inc.. (Price, Stephen) (Entered: 03/19/2007)
03/19/2007	<u>67</u>	ORDER granting <u>55</u> Motion for Stefani E. Shanberg to Appear Pro Hac Vice. Signed by Judge William J. Haynes on 3/16/07. (dt) (Entered: 03/19/2007)
03/19/2007	<u>68</u>	ORDER granting <u>56</u> Motion for Dieter A. Hellmoldt to Appear Pro Hac Vice. Signed by Judge William J. Haynes on 3/16/07. (dt) (Entered: 03/19/2007)
03/19/2007	<u>69</u>	ORDER granting <u>57</u> Motion to Substitute Attorney. Attorney Jong P. Hong and Kenneth S. Korea are terminated as counsel of record for Fallon. The Court also takes notice of the new correspondence address for David Frazee, lead counsel for Fallon. Signed by Judge William J. Haynes on 3/16/07. (dt) (xc: af) (Entered: 03/19/2007)
03/19/2007		Email notification to pro hac vice Attys Shanberg and Hellmoldt re

		mandatory registration for ECF accounts. (dt) (Entered: 03/19/2007)
03/20/2007	<u>70</u>	RECEIPT #114048 in the amount of \$225.00 posted by Stites & Harbison for Vezeau, Dorman & Johnson, attorneys for iLight Technologies, Inc., re <u>61</u> Motion to Appear Pro Hac Vice. (dt) (Entered: 03/20/2007)
03/20/2007	<u>71</u>	RECEIPT #114051 in the amount of \$75.00 posted by Boulton Cummings for Dieter Hellmoldt, attorney for Fallon Luminous Products Corporation, re <u>56</u> Motion to Appear Pro Hac Vice. (dt) (Entered: 03/20/2007)
03/20/2007	<u>72</u>	RECEIPT #114050 in the amount of \$75.00 posted by Boulton Cummings for Stefani Shanberg, attorney for Fallon Luminous Products Corporation, re <u>55</u> Motion to Appear Pro Hac Vice. (dt) (Entered: 03/20/2007)
04/05/2007	<u>73</u>	ANSWER to Amended Complaint, COUNTERCLAIM against iLight Technologies, Inc., iLight Technologies, Inc. by Fallon Luminous Products Corporation, Fallon Luminous Products Corporation.(Rose, Jonathan) (Entered: 04/05/2007)
04/16/2007	<u>74</u>	ANSWER to Counterclaim <i>iLight Technologies, Inc.'s Reply to Counterclaims</i> by iLight Technologies, Inc..(Price, Stephen) (Entered: 04/16/2007)
04/26/2007	<u>75</u>	**VACATED PER ORDER 79** ORDER granting <u>38</u> Motion to Consolidate Cases. This Court will consolidate case 2:06cv25 and 2:06cv26 for the purposes of discovery and pretrial matters. See DE# 54. Signed by Judge William J. Haynes on 4/26/07. (dt) Modified Text on 5/24/2007 (dt). (Entered: 04/26/2007)
04/26/2007	<u>76</u>	ORDER granting <u>61</u> Motion for Timothy J. Vezeau, Michael Adam Dorman and Jenny Louise Johnson to Appear Pro Hac Vice. Signed by Judge William J. Haynes on 4/25/07. (dt) (Entered: 04/26/2007)
04/27/2007	<u>77</u>	Joint MOTION to Clarify re <u>75</u> Order on Motion to Consolidate Cases <i>Joint Request for Clarification of Consolidation Order</i> by iLight Technologies, Inc.. (Price, Stephen) (Entered: 04/27/2007)
05/22/2007	<u>78</u>	**VACATED PER ORDER 79** ORDER: Joint Motion to Clarify <u>77</u> is Granted. The Order in 2:06cv25, DE# 65 is Vacated. The Court will enter the parties' proposed order <u>66</u> in case no. 2:06cv25. The Clerk shall file this Order in both cases listed on this motion. Signed by Judge William J. Haynes Jr. on 5/22/07. (dt) Modified Text on 5/24/2007 (dt). (Entered: 05/22/2007)
05/23/2007	<u>79</u>	AMENDED ORDER: Joint MOTION to Clarify <u>77</u> is Granted. The Orders in 2:06cv25 <u>75</u> and <u>78</u> are Vacated. The Court will enter this Order in case numbers 2:06cv25 and 2:06cv26. Signed by Judge William J. Haynes Jr. on 5/23/07. (dt) Modified Text on 5/24/2007 (dt). (Entered: 05/24/2007)
07/16/2007	<u>80</u>	ORDER: Based upon counsel's statements, counsel are given 10 dates to

		submit an Order setting this action for trial in Cookeville. Signed by Judge William J. Haynes Jr. on 7/13/07. (dt) (Entered: 07/16/2007)
07/24/2007	81	REVISED STIPULATED CASE MANAGEMENT ORDER NO. 4 filed by iLight Technologies, Inc.. (Price, Stephen) Modified Text on 7/25/2007 (dt). (Entered: 07/24/2007)
08/09/2007	82	REVISED STIPULATED CASE MANAGEMENT ORDER NO. 4: Discovery due by 3/28/2008. Dispositive Motions due by 4/30/2008. Final Pretrial Conference set for 9/15/2008 at 03:00 PM before District Judge William J. Haynes Jr.. Jury Trial set for 9/30/2008 at 09:00 AM before District Judge William J. Haynes Jr. Signed by Judge William J. Haynes Jr. on 8/9/07. (dt) (Entered: 08/09/2007)

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